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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 v.

8 LEONARDO DELGADO,

9 Defendant.

3:22-CR-030-ART-CLB

Final Order of Forfeiture

10 The United States District Court for the District of Nevada entered a Preliminary
11 Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. § 2253(a)(1)
12 and 2253(a)(3) based upon the plea of guilty by Leonardo Delgado to the criminal offense,
13 forfeiting the property set forth in the Memorandum in Support of Plea and the Forfeiture
14 Allegation of the Criminal Indictment and shown by the United States to have the requisite
15 nexus to the offense to which Leonardo Delgado pled guilty. Criminal Indictment, ECF
16 No. 1; Memorandum in Support of Plea, ECF No. 30; Change of Plea, ECF No. 32;
17 Preliminary Order of Forfeiture, ECF No. 33.

18 This Court finds that on the government's motion, the Court may at any time enter
19 an order of forfeiture or amend an existing order of forfeiture to include subsequently
20 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

21 This Court finds the United States published the notice of forfeiture in accordance
22 with the law via the official government internet forfeiture site, www.forfeiture.gov,
23 consecutively from July 14, 2023, through August 12, 2023, notifying all potential third
24 parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No.
25 38-1, p. 5.

26 This Court finds the United States notified known third parties by regular mail and
27 certified mail return receipt requested of their right to petition the Court. Notice of Filing
28 Service of Process – Mailing, ECF No. 39.

1 On July 28, 2023, the United States Attorney's Office served and attempted to serve
2 Jorge Alvarez in Dayton, Nevada, with copies of the Preliminary Order of Forfeiture and
3 the Notice through regular mail and certified mail return receipt requested. The certified
4 mail was returned as unclaimed and unable to forward. The regular mail was not returned
5 Notice of Filing Service of Process – Mailing, ECF No. 39-1, p. 3-14.

6 On July 28, 2023, the United States Attorney's Office attempted to serve Jorge
7 Alvarez in Reno, Nevada, with copies of the Preliminary Order of Forfeiture and the Notice
8 through regular mail and certified mail return receipt requested. Both the regular mail and
9 certified mail were returned as insufficient address and unable to forward. Notice of Filing
10 Service of Process – Mailing, ECF No. 39-1, p. 3-10, 15-17.

11 On July 28, 2023, the United States Attorney's Office attempted to serve Jorge
12 Alvarez in Carson City, Nevada, with copies of the Preliminary Order of Forfeiture and the
13 Notice through regular mail and certified mail return receipt requested. Both the regular
14 mail and certified mail were returned as attempted not known and unable to forward.
15 Notice of Filing Service of Process – Mailing, ECF No. 39-1, p. 3-10, 18-20.

16 On July 28, 2023, the United States Attorney's Office served and attempted to serve
17 Raab Torrez in Dayton, Nevada, with copies of the Preliminary Order of Forfeiture and the
18 Notice through regular mail and certified mail return receipt requested. The certified mail
19 was returned as unclaimed and unable to forward. The regular mail was not returned.
20 Notice of Filing Service of Process – Mailing, ECF No. 39-1, p. 3-10, 21-23.

21 On August 4, 2023, Jorge Alvarez filed a Petition for Forfeited Assets, ECF No. 35.
22 On September 1, 2023, the United States filed a Motion to Dismiss Jorge Alvarez's
23 Petition for Forfeited Assets, ECF No. 40.

24 Mr. Alvarez did not file a Response to the government's Motion to Dismiss. On
25 September 26, 2023, the United States filed a Reply to Non-Response to the Motion to
26 Dismiss Petition, ECF No. 42.

27 On December 5, 2023, the Court granted the Motion to Dismiss Jorge Alvarez's
28 Petition for Forfeited Assets, ECF No. 47.

1 This Court finds no other petition was filed herein by or on behalf of any person or
2 entity and the time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending regarding the property named herein and
4 the time has expired for presenting such petitions.

5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
6 all possessory rights, ownership rights, and all rights, titles, and interests in the property
7 hereinafter described are condemned, forfeited, and vested in the United States under Fed.
8 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 2253(a)(1)
9 and 2253(a)(3); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

- 10 1. an Apple iPhone 12 Pro, IMEI number 354523337914348; and
11 2. an ASUS Model GL10DH desktop computer, Serial Number

12 CCPDKW00073853C

13 (all of which constitutes property).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that under Fed. R.
15 Crim. P. 32.2(c) and 21 U.S.C. § 853(n)(7), all possessory rights, ownership rights, and all
16 rights, titles, and interests in the property are extinguished and are not recognized for
17 Leonardo Delgado, Jorge Alvarez, and all third parties.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the forfeited
19 property shall be disposed of according to law.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
21 copies of this Order to all counsel of record.

22 DATED April 10, 2024.

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24 
25 ANNE R. TRAUM
26 UNITED STATES DISTRICT JUDGE
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